

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Municipal Administration & Urban Development Department–Sri G. Appa Rao, the then Accountant, Bhimavaram Municipality and Manager (Retired) Kovvur Nagar Panchayat – Misappropriation of Municipal funds – Enquiry conducted – Penalty Imposed - Modification of Penalty –Imposition of punishment of 25% cut in pension permanently besides recovery of Rs.91,381/- – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.1) DEPARTMENT

G.O.MS.No. 37

Dated: 04-03-2025

Read the following:-

1. G.O.Ms.No.311, M.A. & U.D. (Vig.II-1) Dept., dated 22.04.2008.
2. Order of the Hon'ble Andhra Pradesh Administrative Tribunal (APAT) in O.A.No.6192 of 2008, dated 29.07.2009.
3. Order of the Hon'ble High Court of Andhra Pradesh in W.P.No.4952 of 2010, dated 31.10.2023.
4. Order of the Hon'ble Supreme Court of India in SLP (C) Diary No(s). 52868/2024, dated 02.01.2025.

ORDER:

In the reference first read above, orders were issued, imposing the punishment of 100% cut in pension and gratuity permanently, besides recovery of Rs.91,381/-, on Sri G. Appa Rao, the then Accountant, Bhimavaram Municipality and Manager (Retired), Kovvur Municipality, for misappropriation of Municipal funds.

2. Aggrieved by the said orders, Sri G. Appa Rao filed O.A.No.6192 of 2008 before the Hon'ble Andhra Pradesh Administrative Tribunal (APAT). The Hon'ble APAT, in its order dated 29.07.2009 in the reference 2nd read above, set aside the impugned order on the grounds that the revised Show Cause Notice was issued based on the same material, which was taken into account at the time of issuing the first Show Cause Notice, and remanded back to the Government for imposing punishment based on the Show Cause Notice dated 24.04.2002, taking the explanation submitted by the applicant for the same and pass appropriate orders.

3. The Government filed Writ Petition No.4952 of 2010 before the Hon'ble High Court of Andhra Pradesh against the order of the APAT. The Hon'ble High Court, in its order dated 31.10.2023 in the reference 3rd read above, dismissed the Writ Petition and confirmed the order of the APAT.

4. Subsequently, the Government filed a Special Leave Petition (SLP) before the Hon'ble Supreme Court of India against the order of the Hon'ble High Court. The Hon'ble Supreme Court, in its order dated 02.01.2025 in the reference 4th read above, dismissed the SLP and held that "we see no reason and ground to interfere with the impugned order passed by the High Court".

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5. In view of the above circumstances, the Government have decided to cancel the orders issued in G.O.Ms.No.311, M.A. & U.D. (Vig.II-1) Department, dated 22.04.2008, and impose a penalty of a 25% cut in pension permanently, besides recovery of Rs.91,381/-, on Sri G. Appa Rao, the then Accountant and Manager (Retired), Kovvur Nagar Panchayat, for the charges held proved. Accordingly, the Government hereby order that the orders issued in G.O.Ms.No.311, M.A. & U.D. (Vig.II-1) Department, dated 22.04.2008, stand cancelled and impose a penalty of 25% cut in pension permanently, besides recovery of Rs.91,381/-, on Sri G. Appa Rao, the then Accountant and Manager (Retired), Kovvur Nagar Panchayat, for the charges held proved.

6. The Commissioner & Director of Municipal Administration, shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. SURESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G. Appa Rao (Retired), through the Commissioner & Director of Municipal Administration.A.P, Vaddeswaram.

The Commissioner & Director of Municipal Administration, A.P, Vaddeswaram.

Copy to:

The Secretary, Andhra Pradesh Vigilance Commission,.

The Secretary, Andhra Pradesh Public Service Commission,.

The Accountant General (A & E), Andhra Pradesh, Vijayawada

The Pay & Accounts Officer, Andhra Pradesh, Mangalagiri, Guntur.

The Law Department, Government of Andhra Pradesh, AP., Secretariat, Velagapudi, Guntur.

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER.